

x:\ATS52159\adoption

ROGER P. McTIERNAN, JR. (RPM 1680)  
BARRY, McTIERNAN & MOORE  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

Attorneys for Defendant ANN TAYLOR STORES CORPORATION

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
IN RE LOWER MANHATTAN DISASTER SITE  
LITIGATION

-----X  
SEGUNDO GARCES,

Plaintiffs,

-against-

**NOTICE OF  
ADOPTION**

**07 CV 1498**

ALAN KASMAN DBA KASCO, ANN TAYLOR STORES  
CORPORATION, BANKERS TRUST COMPANY,  
BATTERY PARK CITY AUTHORITY, BLACKMON-  
MOORING-STEAMATIC CATASTOPHE, INC. D/B/A BMS  
CAT, BROOKFIELD FINANCIAL PROPERTIES, INC.,  
BROOKFIELD FINANCIAL PROPERTIES, LP,  
BROOKFIELD PARTNERS, LP, BROOKFIELD  
PROPERTIES CORPORATION, BROOKFIELD  
PROPERTIES HOLDINGS INC., BT PRIVATE CLIENTS  
CORP., DEUTSCHE BANK TRUST COMPANY,  
DEUTSCHE BANK TRUST COMPANY AMERICAS,  
DEUTSCHE BANK TRUST CORPORATION,  
ENVIROTECH CLEAN AIR, INC., GPS ENVIRONMENTAL  
CONSULTANTS, INC., HILLMAN ENVIRONMENTAL  
GROUP, LLC, INDOOR ENVIRONMENTAL  
TECHNOLOGY, INC., KASCO RESTORATION SERVICES  
CO., MERRILL LYNCH & CO, INC., NOMURA HOLDING  
AMERICA, INC., NOMURA SECURITIES  
INTERNATIONAL, INC., NYSE INC., STRUCTURE TONE  
(UK), INC., STRUCTURE TONE GLOBAL SERVICES,  
INC., THE BANK OF NEW YORK TRUST COMPANY NA,  
TISHMAN INTERIORS CORPORATION, TOSCORP INC.,  
TULLY CONSTRUCTION CO., INC., TULLY INDUSTRIES,  
INC., VERIZON NEW YORK, INC., WESTON SOLUTIONS,  
INC., WFP TOWER B CO. G.P. CORP., WFP TOWER B  
HOLDING CO., LP, AND WFP TOWER B. CO., L.P., ET  
AL.,

Defendants.


-----X

PLEASE TAKE NOTICE that defendants, ANN TAYLOR STORES CORPORATION as and for their responses to the allegations set forth in the Complaint by Adoption (Check-Off Complaint) related to the Master Complaint filed in the above-referenced action, hereby adopts ANN TAYLOR STORES CORPORATION's Answer to the Master Complaint dated August 8, 2007, which was filed in the matter of *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21 MC 102 (AKH).

To the extent that ANN TAYLOR STORES CORPORATION's Answer to the Master Complaint does not comprehensively address any of the specific allegations within the Check-Off Complaint in the above-captioned matter, ANN TAYLOR STORES CORPORATION denies knowledge or information sufficient to form a belief as to the truth of such specific allegations.

WHEREFORE, ANN TAYLOR STORES CORPORATION demands judgment dismissing the above-captioned action as against it, together with its costs and disbursements.

Dated: New York, New York  
December 7, 2007

  
\_\_\_\_\_  
ROGER P. McTIERNAN, JR. (RPM 1680)  
BARRY, McTIERNAN & MOORE  
Attorneys for Defendant  
ANN TAYLOR STORES CORPORATION  
2 Rector Street – 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600

To:  
WORBY GRONER EDELMAN & NAPOLI BERN, LLP  
Attorneys for Plaintiff  
115 Broadway, 12<sup>th</sup> Floor  
New York, New York 10006  
(212) 267-3700